

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA; THE
STATE OF MICHIGAN; THE STATE OF
CALIFORNIA; THE STATE OF
COLORADO; THE STATE OF
GEORGIA; THE STATE OF INDIANA;
THE STATE OF LOUISIANA; THE
STATE OF MASSACHUSETTS; THE
STATE OF MINNESOTA; THE STATE
OF MISSOURI; THE STATE OF
NEVADA; THE STATE OF NEW
MEXICO; THE STATE OF NEW YORK;
THE STATE OF OKLAHOMA; THE
STATE OF TENNESSEE; THE STATE
OF TEXAS; THE STATE OF VIRGINIA;
and THE STATE OF WASHINGTON,

Civil Case No. 2:21-cv-10560

Honorable Sean F. Cox
Mag. Judge David R. Grand

Plaintiffs,

ex rel. DR. SARAH RILEY,

Plaintiff/Relator,

vs.

AVERTEST, LLC d/b/a Averhealth, a
Virginia limited liability company,

Defendant.

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ORDER OF DISMISSAL

The United States and Relator Sarah Riley (“Relator”) having submitted
their Joint Stipulation for Dismissal pursuant to Federal Rule of Civil Procedure

41(a), 31 U.S.C. § 3730(b)(1), and in accordance with the terms and conditions of a Settlement Agreement fully executed on or about April 30, 2024, by the United States, Relator, and Defendant Avertest, LLC (“Avertest”), and the States of Michigan, California, Colorado, Georgia, Indiana, Louisiana, Minnesota, Missouri, Nevada, New Mexico, New York, Oklahoma, Tennessee, Texas, and Washington, as well as the Commonwealths of Massachusetts and Virginia (collectively, “Plaintiff States”) having consented to the dismissal of this action, and for good cause shown,

IT IS HEREBY ORDERED that the claims asserted by Relator in this case for the United States and against Avertest for the “Covered Conduct” as defined in the Settlement Agreement are **DISMISSED WITH PREJUDICE** as to both the United States and the Relator.

IT IS FURTHER ORDERED that the remaining claims asserted by Relator for the United States and against Avertest, in which claims the United States has declined to intervene, are **DISMISSED WITH PREJUDICE** as to Relator.

IT IS FURTHER ORDERED that the remaining claims asserted by Relator in this case for the United States and against Avertest, in which claims the United States has declined to intervene, are **DISMISSED WITHOUT PREJUDICE** as to the United States.

IT IS FURTHER ORDERED that the claims asserted by Relator in this case for the Plaintiff States and against Avertest are **DISMISSED WITH PREJUDICE** as to the Relator and **WITHOUT PREJUDICE** as to the Plaintiff States.

IT IS FURTHER ORDERED that the parties shall bear their own fees, costs, and expenses, except that Relator reserves her rights with respect to the payment by Avertest of Relator's attorneys' fees and costs pursuant to 31 U.S.C. § 3730(d).

IT IS SO ORDERED.

Dated: August 1, 2024

s/Sean F. Cox

Sean F. Cox

United States District Judge